



Privacy Policy and Personal Data Protection

ISAL | HIGHER INSTITUTE OF ADMINISTRATION AND
LANGUAGES

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1. INTRODUCTION

On 25 May 2018, the General Data Protection Regulation (GDPR) became applicable in the Member States of the European Union, which includes new rules on the processing of personal data of natural persons.

This Regulation defines a series of rules, effects and consequences on the way institutions collect, process and use citizens' personal data.

In view of the new GDPR, ISAL establishes a set of principles to which data access and processing must comply, as well as new rights for the holders of personal data, which are summarised in this document.

2. THE MISSION

The Higher Institute of Administration and Languages (ISAL) is a private non-integrated Polytechnic Higher Education Establishment, at the service of the society in which it is integrated, as well as at the service of its academic community and all qualified and participative professionals, and its mission is to train professionals of excellence in the areas of management and tourism, combining know-how with the needs of students and the Autonomous Region of Madeira, as well as the universality of knowledge.

To fulfil this mission, ISAL collects and processes personal data necessary for the pursuit of its duties, under the terms of the Legal Framework for Higher Education Institutions (RJIES), supported by Law No. 62/2007, of 10 September, its Statutes and the legal and administrative obligations to which it is subject.

ISAL recognises the right of citizens to the protection of their personal data, ensuring that the data subject, when delivering their data to ISAL, is aware of the purpose and processing of the information provided, as well as the rights they have and how to exercise them, in accordance with Article 8(1) of the Charter of Fundamental Rights of the European Union, Article 16(1) of the Treaty on the Functioning of the European Union (TFEU) and Law No. 58/2019 of 8 August. 16 of the Treaty on the Functioning of the European Union (TFEU) and Law no. 58/2019 of 8 August, which transposed into national law Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, known as the General Data Protection Regulation (GDPR).

ISAL is strongly committed to the protection of personal data and respect for the exercise of the right to privacy of its holders, when they relate to the Institution, complying in the collection and processing of personal data with Law 58/2019, Law 59/2019, with the recommendations of the National Data Protection Commission (CNPD) and with the General Data Protection Regulation (GDPR).

ISAL ensures that it only requests and collects data that is necessary, appropriate and limited to the exercise of its competences, duties and purposes, and is bound by the obligation to ensure the confidentiality, integrity, security and accuracy of the personal data transmitted to it.

3. PARTICIPANTS IN THE PROCESSING OF PERSONAL DATA

3.1 Responsible for the processing of personal data

According to articles 4 and 24 of the GDPR, the responsible for the processing of personal data is ISAL - Instituto Superior de Administração e Línguas, with headquarters at Rua do Comboio, no. 5, in Funchal, email address geral@ISAL.pt and contact +351 291705705. It is ISAL that defines which data are collected and for what purposes, the material and human means used in the processing, the retention period, doing so taking into account the context and purposes of the data processing, as well as the risks to the rights and freedoms of natural persons, in accordance with the GDPR.

3.2 Data Protection Officer

Pursuant to Article 37 of the GDPR, ISAL has designated its Data Protection Officer (DPO), who can be contacted via email at compliance.rgpd@isal.pt for questions relating to the processing of personal data and the exercise of rights conferred on their holders in the context of the GDPR.

3.3 Supervisory Authority

The National Data Protection Commission (CNPd) is the national supervisory authority, which controls and supervises compliance with the GDPR. Data subjects may submit to the National Data Protection Commission:

Address: Comissão Nacional de Proteção de Dados

Rua de São Bento, n.º 148 – 3.º, 1200-821 Lisboa, Portugal

email: geral@cnpd.pt

3.4 Applicability

The privacy and personal data processing policy applies to all activities carried out by ISAL and to all its users, whether students, lecturers, researchers, other employees or third parties, without prejudice to other applicable policies, agreements and legislation, in more specific contexts of collection and processing of personal data.

4. PROCESSING OF PERSONAL DATA

Personal data means any information relating to an identified or identifiable natural person (data subject).

An **identifiable** natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an electronic identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person, or to any other specific factor of identity provided for by law.

The principles of data protection do not apply to information which is anonymous, or which does not relate to an identified or identifiable natural person, or to all data which has been rendered so anonymous that the data subject is not or can no longer be identified.

4.1 Collection of Personal Data

The data may be provided by the holder, collected within the scope of the relationship established with the holder, or requested and processed with the consent of the holder, in person, by telephone, in writing, through computer systems, or any other legitimate means (e.g. visit to the ISAL website, subscription to newsletters, response to surveys, filling in forms and other features or resources provided by ISAL).

Users of ISAL's website will be able to browse without having to provide personal data; however, essential information may be collected and stored for the provision and access to services, in particular with regard to access to the website and ON and academic platforms where users provide personal data for enrolment/registration, applications, etc.

4.2 Processing of Personal Data

The processing of personal data consists of a set of operations which are performed on personal data or on sets of data, whether or not by automated means, such as collection, recording, organisation, storage, adaptation or alteration, recovery, consultation, use, disclosure by transmission, dissemination

or otherwise making available, comparison or interconnection, restriction, erasure or destruction.

ISAL, respecting the right to privacy of the holders of personal data, only collects personal data when they are voluntarily provided, by filling in forms or other legitimate means for this purpose. By making his or her personal data available to ISAL, the user acknowledges and consents to their processing in accordance with this Privacy and Personal Data Protection Policy, knowing that they will only be used for the purposes that determined their collection. The processing of personal data of children under 13 years old depends on the authorisation of their parents or legal representatives.

The information collected will be treated confidentially and will be accessed by a specific set of ISAL employees, within the scope and limits of their respective functions, bound by their professional duties, especially that of confidentiality, within the scope of the ISAL Code of Conduct.

The data subject has the right to withdraw his/her consent at any time, without jeopardising the lawfulness of the processing carried out on the basis of the consent previously given.

ISAL shall process personal data lawfully, fairly and transparently in relation to the data subject, limited to what is necessary for the purposes for which they are collected and processed and where the purpose cannot be reasonably achieved by other means, ensuring that the period of storage of the data is kept to a minimum, namely only for the period considered necessary to achieve the purposes of the processing. This includes the need to fulfil legal obligations to which the person responsible is subject, or the need to perform contracts to which the data subject is a party.

4.3 Personal Data Collected and Processed

The data collected and processed by ISAL depends on the context of the interaction of its holder with the Institution (student, lecturer or non-teaching staff) and may include, among others:

- **Identification data** such as: name; identification number; photograph; affiliation; nationality; place of birth; gender; marital status; tax identification number; identification document number, family, social, cultural profile;
- **Contact details** such as: address; e-mail address(es); telephone contact(s);
- **Academic data** such as: study programme; course; year of enrolment; attendance regime; courses in which they are enrolled/approved and

respective classifications; Higher Education entrance regime; previous educational establishments; academic qualifications; number of retentions; professional situation;

- **Payment data** such as: paid and outstanding amounts; bank identification number; scholarship holder status; receipts for tuition fees and emoluments;
- **Sound and image data** such as: photographs and videos;
- **Health data** such as: medical history; drug consumption; medical certificates; allergies and/or intolerances;
- **Biometric data** such as: fingerprint matrix;
- **Technical data** such as: IP address; date and time of access.

4.4 Purpose of the Processing of Personal Data

The use of the data collected and its processing are intended, among others, to provide services to the data subject, to support, administer, facilitate and manage the data subject's journey as a member of the academic community, to complement or frame ISAL's mission and to fulfil the regulatory and supervisory requests.

4.4.1 Administrative and Academic Management

In order to ensure the regular functioning of ISAL, some personal data may be processed to support decision making on administrative acts, namely for:

- support for decision making and continuous improvement of internal processes; issuance of identification cards;
- control and management of access to and use of Institute services (documentation centres, sports and technological infrastructures, among others);
- processing payments;
- assessing complaints, requests, appeals and similar procedures;
- carrying out audits and certification and accreditation procedures;
- completing enquiries requested by the guardianship/authority;
- fulfilment of other legal obligations, including cooperation with competent authorities;
- communications in case of possible emergencies;
- purposes of administration, academic, financial and human resources management; other purposes that are considered legitimate or legal.

In order for ISAL to ensure the fulfilment of all legal obligations to which it is subject, the personal data collected will be processed, in particular, for the following purposes or others imposed by law:

- management of enrolment and registrations;
- maintenance and updating of the respective individual files; granting of special attendance status;
- management of mobility programmes;
- recognition of degrees, diplomas and other academic titles;
- issuing certificates and diplomas;
- maintaining school insurance and reporting accidents; awarding prizes;
- managing attendance, grades and other academic information.

4.4.2 Social Services

ISAL has several academic management and social action services, whose management depends on the processing of some personal data, in order to fulfil its attributions, namely the management of scholarships and other social support, accommodation management or others that may prove legitimate.

4.4.3 Scientific Research and Community Services

Within the scope of its Mission and as a higher education institution, ISAL promotes scientific research and the recognition of the scientific activities of its researchers, lecturers, non-teaching staff and students.

Its research centre may collect concrete data depending on the scientific purposes and which may range from conducting surveys to clinical studies, with or without intervention, or others that prove appropriate. In any case, participation will always be voluntary, and the personal data collected will be anonymised or processed with the consent of the subjects, in strict compliance with the Codes of Ethics and good conduct.

The personal data provided in this context will be used solely and exclusively for the provision of the requested services, the training of its students and the promotion of scientific research.

4.4.4 Institutional Communication, Events and Other Initiatives

In order to promote and publicise the activities developed by ISAL, by the different structures that integrate it and by the entities with which it collaborates, different types of institutional communications may be sent.

Within the scope of initiatives promoted by ISAL, thematic days or weeks, conferences, seminars and others that may occur, some personal data that may prove necessary may be collected and processed, namely for management, registration, and billing purposes (paid events). Photographs and/or videos may also be taken for the purpose of publicising and promoting the initiatives in internal and external communication channels.

4.4.5 Systems, Technological Infrastructures and Cookies

In case of use of ISAL's technological systems and infrastructures, including wireless networks, some of the personal data provided may be automatically collected and analysed, to monitor the security of these infrastructures, prevent their misuse and promote the improvement of the quality and usefulness of the services provided.

ISAL uses social media (LinkedIn, Facebook, Instagram and YouTube) for communication and information purposes.

It is recommended that users of the above social networks read the respective Privacy Policies in order to be aware of the data processing activities, the rights in force and the resources available for privacy protection on these digital platforms.

ISAL reserves the right to adjust the conditions of use of its website at any time and is not responsible for any damages resulting from access to that website, even if they occur as a result of consulting outdated content or contact with viruses when accessing the different networks.

4.4.6 Alumni

ISAL considers as strategic the need to keep active the connection with its former students. In this sense, information related to:

- Alumni professional success initiatives (publications, books, blogs, positions, television programmes, etc.);

- employability surveys, dissemination of training provision and dissemination of professional opportunities;
- news, initiatives and events promoted by ISAL with potential interest to the Alumni public.

4.5 Processing of Special Category Personal Data

Personal data which are by their nature particularly sensitive from the point of view of fundamental rights and freedoms deserve specific protection by ISAL, since the context in which such data are processed is likely to involve significant risks to fundamental rights and freedoms. Examples of such data could include:

- Information on racial or ethnic origin;
- Political opinions or trade union membership;
- Religious or philosophical beliefs;
- Gender, sex life or sexual orientation;
- Health, genetic or biometric data for the purpose of identifying the individual.

Personal data concerning health are all data concerning the state of health of a data subject which reveal information about his or her physical or mental health in the past, present or future.

The processing of personal data of special categories by ISAL is carried out in special circumstances, always in accordance with Article 9 of the GDPR.

4.6 Sharing of Personal Data with Third Parties

ISAL does not share personal data with third parties, except to fulfil legal obligations (sharing with the competent public authorities, in compliance with Portuguese and European legislation). Within the scope of its duties, ISAL may share personal data, among others, with:

- Public Administration bodies (Ministry of Science, Technology and Higher Education; General Directorate of Higher Education, Tax Authority; Social Security, etc.) to fulfil legal obligations to which it is bound;
- institutions in the banking and insurance sectors;
- institutions with which it has concluded contracts or other co-operation instruments;

- other higher education institutions within the framework of national or international partnerships, under strictly necessary terms;
- other institutions or natural persons if it has their consent to do so.

The transmission of personal data between public entities, for purposes other than those determined by the collection, is of an exceptional nature, will be subject to justification and protocol, which will establish the responsibilities of each party, both in the act of transmission and in other processing to be carried out. Whenever it is necessary to share personal data with third parties, other than in fulfilment of a legal obligation, ISAL ensures that this sharing is carried out in strict compliance with the guidelines established by the GDPR.

4.7 Storage of Personal Data Collected

ISAL keeps personal data for the period of time deemed necessary for the fulfilment of the purposes for which they were collected, or for others that are duly and justifiably related to them, within the framework of its institutional mission, and ensures that the period of storage of the data will be limited to the minimum, namely only for the period considered necessary to achieve the purposes of the processing.

4.8 Security Measures applied to Personal Data

ISAL protects all personal data it collects and processes by implementing technical and organisational measures to mitigate risks that may affect the fundamental rights and freedoms of affected data subjects in the event of a personal data breach.

5. RIGHTS OF THE HOLDERS OF PERSONAL DATA COLLECTED

Upon verification of the conditions legally provided for in the GDPR (Articles 15 to 18, 20 and 21), ISAL guarantees the holders of personal data, the right of access, portability, updating, rectification, forgetting, limitation or opposition to the processing of personal data concerning them, and these rights of the holders may be exercised through the e-mail address compliance.rgpd@isal.pt or isal@ISAL.pt.

6. RIGHT TO RESERVE

ISAL, at all times, reserves the right to update this document, as well as to provide additional, more detailed information on specific situations in which personal data are collected and processed.

The changes will apply only to the collection and processing of personal data that occur after their disclosure. However, if they have an impact on the processing of personal data already collected, their holders will be notified to review their consent, or exercise their right to object or delete the data.

Date of Approval by the Board of Directors: 11 October 2022

Decisions:

Favourable opinion by the Technical-Scientific Council of 12.10.2022

Favourable opinion by the Pedagogical Council of 12.10.2022